


SOLID WASTE DISPOSAL ACT8-26. Administrative Enforcement: Agency Representation in Hearings and Signing of Consent Agreements

1. **AUTHORITY.** Pursuant to Subtitle I of the Solid Waste Disposal Act, as amended, to
 - a. Represent the U.S. Environmental Protection Agency in administrative enforcement actions;
 - b. Negotiate consent agreements between the EPA and respondents resulting from such enforcement actions;
 - c. Represent the agency in appeals from administrative determinations; and
 - d. Assign appropriate personnel to perform the functions specified in paragraph (a).
2. **TO WHOM DELEGATED.** Associate regional counsel for Enforcement.
3. **LIMITATIONS.**
 - a. Any official exercising this authority may do so only for those cases initiated by the region.
 - b. Any official exercising authorities 1.a. through 1.c. at a federal facility must consult in advance with the assistant administrator for the Office of Enforcement and Compliance Assurance or designee.
4. **REDELEGATION AUTHORITY.**
 - a. Authorities 1.a., 1.b., and 1.c. may be redelegated to attorneys in assigned cases.
 - b. Authority 1.d. may be redelegated to the unit chief level, or equivalent, and no further.
 - c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Sections 9006 and 9003(h), SWDA.
 - b. 40 C.F.R. Part 22.



Kenneth C. Schefski
Regional Counsel

2/25/2020

Date